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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/883,502	06/19/2001	Jeffrey A. Bedell	53470.003037	8691

21967 7590 05/20/2005

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EXAMINER

HUYNH, CONG LAC T

ART UNIT	PAPER NUMBER
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2178

DATE MAILED: 05/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/883,502

Applicant(s)

BEDELL ET AL.

Examiner

Cong-Lac Huynh

Art Unit

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 03 February 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>4/15/05</u> . | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This action is responsive to communications: amendment filed 2/3/05 to the application filed on 6/19/01.
2. Claims 1-28 are pending in the case. Claims 1, 6, 14, 21 are independent claims.
3. The IDS filed 4/15/05 has been received and considered.
4. The double patenting rejection on claims 1, 3, 6, and 8 has been withdrawn in view of the amendment.
5. The 101 rejection on claims 1, 6, and 21 has been withdrawn in view of the amendment.
6. The objection of claims 11, 19, and 26 because of informalities has been withdrawn in view of the amendment.
7. The rejections of claims 1-28 under 35 U.S.C. 103(a) as being unpatentable over Thompson have been withdrawn in view of the amendment.

### ***Claim Rejections - 35 USC § 102***

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Art Unit: 2178

9. Claims 1-28 are rejected under 35 U.S.C. 102(e) as being anticipated by Alexander et al. (US Pat App Pub No 2002/0069207 A1, 6/6/02, filed 12/6/00).

Regarding independent claim 6, Alexander discloses:

- selecting a template with one or more template properties ([0006]-[0008], [0040]: generating a report based on a selected survey where a report has format properties such as full, brief, specific question, and statement, and each report when applied the selected format is considered a template for filling data from the survey)
- selecting a filter with one or more filter properties ([0040]: when selecting one of the format properties, the data included in the report is filtered to be included only data required by the selected format)
- specifying one or more of the template or filter properties with a prompt object ([0024], [0040]: each formatted report is selected to comply with the selected survey)
- wherein the prompt object comprises:
  - o a question to be asked of a user (figure 2, [0006]-[0009])
  - o at least one validation property ([0030]: assigning different types of answers to each question in a survey implies a validation of data type for the answer to the question in the survey)
  - o wherein the prompt object is used in creating a report to be executed in a reporting system, wherein the report may specify a prompt object as a

property of the report, and wherein the prompt object is an object separate from the report such that the prompt object may be used more than once in a single report or may be used in more than one report ([0008]-[0009], [0029], [0034]: the survey, which is considered the prompt object can be reused more than once in a single report or may be used in more than one report)

Regarding claim 7, which is dependent on claim 6, Alexander discloses that the prompt object further comprises a prompt type and wherein at least one validation property comprises verification that the answer provided to the question is of the specified prompt type (0030]: assigning different types of answers to each question in a survey implies a validation of data type for the answer to the question in the survey).

Regarding claim 8, which is dependent on claim 6, Alexander discloses that the prompt object further comprises a default answer to the question (figure 2).

Regarding claim 9, which is dependent on claim 6, Alexander discloses that the prompt object further comprises a meaning that, upon request by a responder to the prompt, provides an explanation of the question (figure 4).

Regarding claim 10, which is dependent on claim 6, Alexander discloses that the prompt object further comprises a reuse value that indicates whether an answer

provided from a previous instance of that prompt object, a default value or a new value is to be used for an answer to the question in the prompt object ([0034]).

Regarding claim 11, which is dependent on claim 6, Alexander discloses specifying a single prompt object for a plurality of properties in the report and wherein upon report execution, the question receives only one answer that is provided to each property for which the prompt object was specified ([0034]-[0035], figure 3: indicating a specific topic of a survey, which is considered a property of the survey, such as medical practice, family history, or social history would cause the report execution to receive only one answer provided to each type of survey, which is considered equivalent a prompt object).

Regarding claim 12, which is dependent on claim 6, Alexander discloses specifying at most one prompt object for a template or filter property ([0040]: specifying at most a survey with a survey ID to generate a report format, which is considered equivalent to a template).

Regarding claim 13, which is dependent on claim 6, Alexander discloses that the template comprises a set of templates properties and the filter comprises a set of filter properties and wherein every template and filter property may be specified as a prompt object ([0040]: the report format has a set of format properties, and upon selecting one of the format properties, the report is generated so that data included in the report is

Art Unit: 2178

limited to the requirement of the report format; in other words, a filter with filter property is implied in generating a report).

Claims 1-5 are for a prompt object as mentioned in claims 6-10, and are rejected under the same rationale.

Claims 14-20 are for a processor-readable medium of method claims 6-10, and are rejected under the same rationale.

Claims 21-28 are for a system of method claims 6-13, and are rejected under the same rationale.

### ***Response to Arguments***

10. Applicant's arguments with respect to claims 1-28 have been considered but are moot in view of the new ground(s) of rejection.

Applicants argue that Thompson does not disclose the claims as amended.

Examiner agrees.

Alexander discloses the claimed invention. See the claim rejections above.

### ***Conclusion***

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Machiraju et al. (US Pat No. 6,028,601, 2/22/00, filed 4/1/97).

Shanahan et al. (US Pat No. 6,820,075 B2, 11/16/04, filed 12/05/01, priority 8/13/01).

Thomas (US Pat No. 6,837,992 B1, 3/29/05, filed 12/13/99).

Rogatinsky (US Pat App Pub No. 2002/0069119 A1, 6/6/02, filed 12/4/00, priority 12/2/99).

Minner et al. (US Pat App Pub No 2002/0063717 A1, 5/30/02, filed 11/30/00, priority 8/16/00).

Frank (US Pat App Pub No 2001/0044813 A1, 11/22/01, filed 1/10/01, priority 1/10/00).

Gupta (US Pat App Pub No. 2002/0184265 A1, 12/05/02, filed 5/30/01).



Rosenthal et al. (US Pat App Pub No. 2002/0133502 A1, 9/19/02, filed 1/5/01).

Grefenstette et al. (US Pat App Pub No. 2003/0061201 A1, 3/27/03, filed 12/5/01, priority 8/13/01).

Macrossan (US Pat App Pub No. 2003/0210264 A1, 11/13/03, filed 5/23/03, priority 11/23/01).

Worthington et al. (US Pat App Pub No. 2004/0015837 A1, 1/22/04, filed 7/27/01).

Warnock (US Pat App Pub No. 2004/0093378 A1, 5/13/04, filed 11/3/03, priority 12/8/99).

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cong-Lac Huynh whose telephone number is 571-272-4125. The examiner can normally be reached on Mon-Fri (8:30-6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on 571-272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-4125.

Art Unit: 2178

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Cong-Lac Huynh  
Examiner  
Art Unit 2178  
5/11/05